IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 3650 OF 2006

Shri Nandkumar Ganpat Dounde ..Petitioner

Vs.

1. The State of Maharashtra and ors. ..Respondents

Mr. P.N. Joshi for petitioner absent.
Mr. A.H. Palekar, AGP for respondent nos.1 to 3.

CORAM: B.H. MARLAPALLE, J.

Date : July 03, 2006.

P.C.:

1. Regular Civil Suit No. 30 of 2004 was filed by the petitioner against the Tahsildar, Sangola, Collector, Solapur and the Sangola Municipal Council seeking the relief of perpetual injunction in respect of the suit property. The suit came to be dismissed by the learned Civil Judge, Senior Division, Pandharpur on 29/3/2006 and Regular Civil Appeal No.41 of 2006 has been filed by the plaintiff-petitioner. In the said appeal an application for temporary injunction was filed and it was rejected by the impugned order dated 27/4/2006.

2. The learned Judge of the Lower Appellate Court

noted that the suit property is the open space admeasuring 200 x 100 ft. from Survey No. 3203 of Sangola and it was given on lease by the State Government in the year 1987. The lease had expired in October, 2000 and there was no prima facie evidence to show that the lease was extended or renewed by the Government. On the face of these findings, no interference is called for in the impugned order.

3. Hence the petition is rejected summarily.

(B.H. Marlapalle,J.)